

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6825

BILL NUMBER: HB 1277

NOTE PREPARED: Jan 3, 2006

BILL AMENDED:

SUBJECT: Civil Actions and Attorney's Fees.

FIRST AUTHOR: Rep. Bright

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires a court to award attorney's fees to the prevailing party in all civil actions.

Effective Date: July 1, 2006.

Explanation of State Expenditures: This bill may potentially result in cost savings to the state. The Office of the Attorney General represents the state in cases where the state is a defendant in a civil lawsuit. If the state of Indiana is a defendant in a lawsuit and the state prevails, the Office of the Attorney General could produce a detailed summary of the costs for the case in which it prevailed and potentially recover some or all of the costs.

Explanation of State Revenues:

Explanation of Local Expenditures: This bill may potentially result in cost savings to local governments. Counties and municipalities either retain attorneys by contract or have attorneys on staff. If a local government prevails in a lawsuit, the local unit of government may be able to recover some or all of the costs of legal representation.

Explanation of Local Revenues:

State Agencies Affected: Office of the Attorney General.

Local Agencies Affected: County and municipal governments.

Information Sources:

Fiscal Analyst: Mark Goodpaster, 317-232-9852.